

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. By this Amendment, Applicant has canceled claim 7. Thus, claims 1-6 and 8-12 are now pending in the application. In response to the Office Action (Paper No. 8), Applicant respectfully submits that the pending claims define patentable subject matter.

I. Rejection of claims 8-12 under 35 U.S.C. § 112, second paragraph

Claims 8-12 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite because the Examiner alleges the limitation “the external means” recited in claims 8-12 does not have a proper antecedent basis. By this Amendment, Applicant has amended claims 8-12 to improve clarity by changing “external means” to “external unit”. Accordingly, the Examiner is requested to remove the § 112, second paragraph, rejection.

II. Prior Art Rejection

Claims 1-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Daiss et al. (FR 2784066; hereafter “Daiss”) in view of cited Hsu et al. (USP 6,100,811; hereafter “Hsu”). Applicant respectfully traverses the prior art rejection.

Amended independent claim 1 recites, in part:

a manipulation detection means for detecting manipulations of at least one operation unit for controlling the pieces of equipment in the vehicle and at least one pedal, wherein said operation unit comprises at least one of a wiper

switch, a turn signal switch, a shift lever, and a navigation unit for providing navigation services;

a fingerprint verification means for verifying an identity of the fingerprint information captured by said fingerprint information capturing means in a first processing mode by comparing the fingerprint information captured by said fingerprint information capturing means with the fingerprint information of the authorized user stored in said fingerprint information storage means, wherein the vehicle key system is configured to operate in the first processing mode and at least a second processing mode for administering storage of information in the fingerprint information storage means; and

a processing mode switching means for switching between the first and second processing modes according to detection of a predetermined manipulation of the at least one operation unit or the at least one pedal by said manipulation detection means.¹

Applicant respectfully submits that the combination of Daiss and Hsu does not teach or suggest switching between first and second processing modes according to detection of a predetermined manipulation of the at least one operation unit or the at least one pedal, wherein the operation unit comprises at least one of a wiper switch, a winker switch, a shift lever, and a navigation unit for providing navigation services, as required by claim 1.

Hsu
Does

Daiss discloses a method and apparatus for placing a driving motor of a motor vehicle into operation.² With reference to Figure 1, Daiss discloses that when a person desires to put a motor

¹ Claim 1 has been amended to incorporate subject matter originally recited in dependent claims 6 and 7, i.e., the operation unit comprises at least one of a wiper switch, a turn signal switch, a shift lever, and a navigation unit for providing navigation services.

² Since Daiss (FR 2784066) is in French, the following of discussion of the disclosure of Daiss is based on the disclosure of corresponding U.S. Patent No. 6,373,148.

vehicle into operation, the person places a thumb on a biometric sensor configuration 34 which reads a fingerprint pattern 36. A control unit 26 executes a predetermined algorithm based on predetermined biometric data to generate data which is compared in the control unit 26 or in the biometric sensor configuration 34 with calculation data stored in memory. If the person is recognized as authorized based on the comparison, the control unit 26 automatically puts a vehicle electrical system 28 and an engine electrical system 30 into operation, so that the vehicle is ready to be operated. In response to a subsequent sequence of events, the control unit 26 sends a signal to the engine electrical system 30, which activates a starter 32 to start the engine 10 without actuating a separate ignition or starter switch. The sequence of events may include the driver shifting a selector lever 14 out of a standard position when the vehicle is parked (i.e., the park or neutral position) into a driving position (i.e., the reverse or drive position) and simultaneously depressing the brake pedal 18 and the accelerator pedal 16 thereby indicating that the driver wants to drive away.

Hsu discloses a system and method for automatically verifying the identity of a person seeking entry to and use of a protected vehicle. In particular, Hsu discloses a fingerprint matching system including fingerprint sensors mounted in an interior location and an exterior location of a vehicle, and a fingerprint matching device for comparing a sensed fingerprint image with features of a previously stored reference fingerprint image to verify the identity of a user of the vehicle. Upon successfully verifying the identity of a vehicle user, the fingerprint matching device transmits control signals to an engine enabling switch to allow operation of the vehicle and a door locking switch to switch from a locked mode to an unlocked mode. The fingerprint matching device also includes a user interface, such as a small display screen and a control panel,

for selecting a mode of operation and an enrolled user name. For example, a user may select a “set” mode of operation on the user interface in order to enroll new users, and then render the “set” mode active by placing a finger on one of the sensors for identity verification.

With regard to subject matter of dependent claims 6 and 7 which as been incorporated into claim 1, the Examiner asserts:

Hsu further discloses the operation unit shift (see figure 4) and the navigation services (see figure 4, and col. 5, line[s] 10-15 in car computer) as claimed. And the pedal is disclosed by the [Daiss patent] (see figure 1, numer[al] 18) as claimed.

However, Applicant respectfully submits that it is quite clear that neither Hsu nor Daiss teach or suggest switching between first and second processing modes according to detection of a predetermined manipulation of the at least one operation unit or the at least one pedal, wherein the operation unit comprises at least one of a wiper switch, a winker switch, a shift lever, and a navigation unit for providing navigation services. In particular, Figure 4 of Hsu simply shows fingerprint sensors 16a-16d may be provided at different locations in the vehicle interior. The cited section of Hsu (col. 5, lines 10-15) merely indicates that “as soon as the driver's identity has been verified through one of the sensors 14 or 16, actuator control signals are transmitted to the car seats 38, mirrors 40, steering wheel 42, climate control 44, mobile telephone 46, vehicle performance controls 48, entertainment center 50, airbag controls 52, in-car computer 54, and radio transmitter 56.” Further, as discussed above, Daiss discloses that once the identity of the vehicle user has been identified, the engine may be started in response to the vehicle user shifting

a selector lever (i.e., from the park or neutral position to the reverse or drive position) and simultaneously depressing the brake pedal and the accelerator pedal.

Thus, nowhere do the cited reference teach or suggest switching between first and second processing modes according to detection of a predetermined manipulation of a pedal, a wiper switch, a winker switch, a shift lever, and/or a navigation unit

Accordingly, Applicant respectfully submits that independent claim 1, as well as dependent claims 2-6, should be allowable because the cited references do not teach or suggest all of the features of the claims, and one of ordinary skill in the art would not have been motivated to modify the teachings of the combined references to produce the claimed invention.

Independent claim 8 recites, in part:

a connecting means for connecting said vehicle key system with an external unit and receiving a signal which indicates manipulation of the external unit; and

a processing mode switching means for switching between the first and second processing modes when the vehicle key system detects the signal received by the connections means indicating a predetermined manipulation of the external unit.

Applicant respectfully submits that the combined references do not teach or suggest these features of the claimed invention.

Although the Examiner does not cite any specific portion of Daiss or Hsu for disclosing the “connecting means” of claim 8, the Examiner alleges Daiss “discloses the external unit (see page 8, lines 4-6) as claimed.” However, Daiss simply discloses a second fingerprint sensor may be provided on the exterior of the vehicle to allow entry of vehicle without allowing the vehicle

to be driven away (i.e., the vehicle may not be operated until authentication by the first fingerprint sensor provided in the vehicle interior is complete). Thus, the combination of Daiss and Hsu would simply result in a system having a first fingerprint sensor provided in the vehicle interior for allowing the vehicle to be operated, a second fingerprint sensor provided on the vehicle exterior for allowing the vehicle to be entered, and a user interface provided in the vehicle interior for switching between operation modes of the system.

Accordingly, Applicant respectfully submits that independent claim 8, as well as dependent claims 9-12 should be allowable because the combined references do not teach or suggest all of the features of the claims, and one of ordinary skill in the art would not have been motivated to modify the teachings of the combined references to produce the claimed invention.

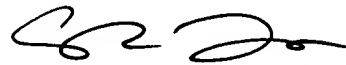
III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Patent Application No. 09/650,629

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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